

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JIHAD THAIFF MONSOUR,

Petitioner,

vs.

GREG SMITH, *et al.*,

Respondents.

3:11-cv-00156-LRH-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner.

Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1). Based on the information concerning petitioner's financial status, the Court finds that the motion to proceed *in forma pauperis* should be granted.

The Court further finds that the petition shall be served on respondents. A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions).

IT IS THEREFORE ORDERED that the application to proceed *in forma pauperis* (ECF No. 1) is **GRANTED**. The Clerk **SHALL FILE** the petition for a writ of habeas corpus.

IT IS FURTHER ORDERED that the Clerk **SHALL ELECTRONICALLY SERVE** the petition upon the respondents.

1 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from entry of
2 this order within which to answer, or otherwise respond to, the petition. In their answer or other
3 response, respondents shall address any claims presented by petitioner in his petition. Respondents
4 shall raise all potential affirmative defenses in the initial responsive pleading, including lack of
5 exhaustion and procedural default. **Successive motions to dismiss will not be entertained.** If an
6 answer is filed, respondents shall comply with the requirements of Rule 5 of the Rules Governing
7 Proceedings in the United States District Courts under 28 U.S.C. §2254. If an answer is filed,
8 petitioner shall have **forty-five (45) days** from the date of service of the answer to file a reply.

9 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the Attorney
10 General of the State of Nevada a copy of every pleading, motion, or other document he submits for
11 consideration by the Court. Petitioner shall include with the original paper submitted for filing a
12 certificate stating the date that a true and correct copy of the document was mailed to the Attorney
13 General. The Court may disregard any paper that does not include a certificate of service. After
14 respondents appear in this action, petitioner shall make such service upon the particular Deputy
15 Attorney General assigned to the case.

16 Dated this 6th day of April, 2011.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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